

**CALENDAR ITEM
C12**

A 8,9

02/17/05
W 26033/WP 8507.9

S 5,6

L. Burks

GENERAL LEASE – PUBLIC AGENCY USE

APPLICANT:

Sacramento Regional County Sanitation District
10545 Armstrong Avenue, Suite 101
Mather, CA 95655

CO-APPLICANT:

Sacramento Municipal Utility District
1708 59th Street
Sacramento, CA 95819

LAND TYPE AND LOCATION:

Sovereign lands in the Sacramento River, in the Pocket Area near the city of Sacramento, Sacramento County.

AUTHORIZED USE:

Installation of a 28-inch steel casing pipe, which will contain one 4-inch fiber optic cable conduit for a future fiber optics line for the South River Pump Station communications system and four 6-inch electrical conduits to supply electrical power to the South River Pump Station.

LEASE TERM:

25 years, beginning March 1, 2005.

CONSIDERATION:

The public use and benefit; with the State reserving the right at any time to set a monetary rent if the Commission finds such action to be in the State's best interest.

OTHER PERTINENT INFORMATION:

1. Applicant has a right to use the uplands adjoining the lease premises.
2. On February 2, 2004, the Commission authorized issuance to Sacramento Regional County Sanitation District (SRCSD) of General Lease - Public Agency Use No. PRC 8507.9 for construction of the Lower Northwest

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Interceptor (LNWI) to provide relief for the existing Northeast trunk system and the Dry Creek Inteceptor, as well as the Arden Pump Station. The LNWI also will provide capacity for future planned growth in the Rio Linda, Natomas and West Sacramento areas. The LNWI will convey flows from the Northeast, Dry Creek, Gibson Ranch, Rio Linda, McClellan, Natomas and a portion for the North Highlands drainage basins. This flow will be routed from the new Natomas Pump Station to the Sacramento Regional Water Treatment Plant near Elk Grove. Included as part of the LNWI are two pumping stations, termed the New Natomas Pumping Station (NNPS) and the South River Pumping Station (SRPS).

3. The SRPS is located in Yolo County, just south of the West Sacramento city limits, in Pacific Gas and Electric (PG&E) electrical service area. Currently there are no PG&E electrical facilities in the area with the capacity to power the proposed pumping station. Therefore, SRCSD has approached the Sacramento Municipal Utility District (SMUD) to supply electric service. For SMUD to provide service to the SRPS site, an electrical feeder is proposed to be installed from SMUD's Havenside Substation, located in the Pocket Area of Sacramento, under the Sacramento River and through Yolo County to the SRPS.
4. On October 13, 2004, SRCSD and SMUD entered into the South River Pump Station Service Agreement ("Agreement") for the purpose of providing electrical power to the SRCSD's South River Pump Station, Yolo County. Under the terms of the Agreement, as it relates to the Sacramento River crossing, SMUD will install the cable to run within the conduit constructed by SRCSD. SMUD shall own, operate and maintain the facilities in compliance with its Rates, Rules and Regulations, its operating and maintenance procedures, and prudent utility practices. SRCSD will design and construct the civil improvements on the South River Pump Station, complete the bore under the Sacramento River, and will design and construct a 4-inch conduit for a future fiber optics line for the South River Pump Station communications system. SRCSD shall own, operate and maintain the 4-inch telecommunications conduits and related telecommunications facilities. SRCSD will, at its sole cost, obtain on behalf of SMUD, the necessary right-of-way and easement to construct, operate and maintain the Sacramento River crossing. In addition, SRCSD will, at its sole cost, obtain the necessary right of way and easement for the telecommunications conduit and facilities at the Sacramento River crossing. Therefore, staff proposes that Commission authorize issuance

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of a lease to SRCSD and SMUD, as co-tenants, for the above described improvements.

5. The portion of the electrical feeder that crosses the Sacramento River will be installed by a horizontal directional drill (HDD). A 28-inch diameter steel casing pipe will be installed initially, with one 4-inch and four 6-inch conduits pulled inside the casing in a second operation. SMUD will then pull electrical conductors into the conduits. The HDD alignment places the steel casing crown 30 feet below the deepest level of the Sacramento River bottom. The total length of the HDD across the Sacramento River is approximately 500 feet.
6. EIRs (SCH Nos. 2001112085 and 2002092071) were prepared and certified for this project by the Sacramento Regional County Sanitation District. The California State Lands Commission staff has reviewed such documents and Mitigation Monitoring Program adopted by the lead agency.
7. Findings made in conformance with the State CEQA Guidelines (Title 14, California Code of Regulations, sections 15091 and 15096) are contained on file in the Sacramento Office of the California State Lands Commission.
8. A Statement of Overriding Considerations made in conformance with the State CEQA Guidelines (Title 14, California Code of Regulations, section 15093) is contained on file in the Sacramento Office of the California State Lands Commission. There are 17 impacts identified within the Final Environmental Impact Report (FEIR) that remain significant after all feasible mitigation. These include:
 - a. Temporary disruption of property access and conflicts with existing land uses.
 - b. Temporary disruption of public use of River City High School recreational fields.
 - c. Potential safety risk to the public during construction.
 - d. Permanent displacement of existing agricultural uses (e.g., pump stations, access roads) and loss of prime farmland.

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- e. Short-term increase in NOX emissions during construction of interceptor facilities.
- f. Short-term increase in PM10 emissions during construction of interceptor facilities.
- g. Temporary increase in noise levels in noise-sensitive areas during open trenching activities.
- h. Exposure of people to, or generation of, open trenching-related noise in excess of local noise ordinance standards or planning standards.
- i. Temporary increase in noise levels in noise sensitive areas during tunneling/boring activities.
- j. Exposure to people to, or generation of, noise in excess of local noise ordinance standards or planning standards during tunneling/boring activities.
- k. Temporary increase in noise levels in noise sensitive areas during pile-driving activities.
- l. Exposure of people to, or generation of, noise in excess of local noise ordinance standards of planning standards during pile driving activities.
- m. Temporary increase in noise levels in noise sensitive areas, resulting from batch plant activities.
- n. Exposure of people to, or generation of, noise in excess of local noise ordinance standards or planning standards during batch plant activities.
- o. Temporary increase in noise levels in noise sensitive areas during construction of access roads.
- p. Exposure of people to, or generation of, noise in excess of local noise ordinance standards or planning standards from construction of access roads.

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- q. Short-term Deerwood Road area impacts (adjacent to the RD 900 corridor between Stone Boulevard and River City High School) residences resulting from removal of mature vegetation.

Of these significant impacts, items c, e, f, g, h, i, j, k, l, m, n, o, and p could potentially affect State-owned land; however, these impacts would be of relatively short duration and occur only during the construction phase of the project.

- r. This activity involves lands identified as possessing significant pursuant to Public Resources Code sections 6370, et seq. Based upon the staff's consultation with the persons nominating such lands and through the CEQA review process, it is the staff's opinion that the project, as proposed, is consistent with its use classification.

APPROVALS OBTAINED:

Sacramento Regional County Sanitation District; United States Army Corps of Engineers; California Department of Fish and Game; State Reclamation Board; Sacramento Metropolitan and/or Yolo-Solano Air Quality Management District; United State Fish and Wildlife Service; NOAA Fisheries; Yolo County.

FURTHER APPROVALS REQUIRED:

City of Sacramento.

EXHIBITS:

- A. Site Plan and Location Map
B. Notice Of Determination

PERMIT STREAMLINING ACT DEADLINE:

July 4, 2005

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RECOMMENDED ACTION:

IT IS RECOMMENDED THAT THE COMMISSION:

CEQA FINDING:

1. FIND THAT EIRs (SCH NOS. 2001112085 and 2002092071) WERE PREPARED AND CERTIFIED FOR THIS PROJECT BY THE SACRAMENTO REGIONAL COUNTY SANITATION DISTRICT AND THAT THE COMMISSION HAS REVIEWED AND CONSIDERED THE INFORMATION CONTAINED THEREIN.
2. ADOPT THE FINDINGS MADE IN CONFORMANCE WITH TITLE 14, CALIFORNIA CODE OF REGULATIONS, SECTIONS 15091 AND 15096(h), ON FILE IN THE SACRAMENTO OFFICE OF THE CALIFORNIA STATE LANDS COMMISSION.
3. ADOPT THE MITIGATION MONITORING PROGRAM, ON FILE IN THE SACRAMENTO OFFICE OF THE CALIFORNIA STATE LANDS COMMISSION.
4. ADOPT THE STATEMENT OF OVERRIDING CONSIDERATIONS MADE IN CONFORMANCE WITH TITLE 14, CALIFORNIA CODE OF REGULATIONS, SECTION 1 5093, ON FILE IN THE SACRAMENTO OFFICE OF THE CALIFORNIA STATE LANDS COMMISSION.

SIGNIFICANT LANDS INVENTORY FINDING:

FIND THAT THIS ACTIVITY IS CONSISTENT WITH THE USE CLASSIFICATIONS DESIGNATED BY THE COMMISSION FOR THE LAND PURSUANT TO PUBLIC RESOURCES CODE SECTIONS 6370, ET SEQ.

AUTHORIZATION:

AUTHORIZE ISSUANCE TO SACRAMENTO REGIONAL COUNTY SANITATION DISTRICT AND SACRAMENTO MUNICIPAL UTILITY DISTRICT, AS CO-TENANTS, OF A GENERAL LEASE – PUBLIC AGENCY USE, BEGINNING MARCH 1, 2005, FOR A TERM OF TWENTY-FIVE (25) YEARS, FOR INSTALLATION, OPERATION AND MAINTENANCE OF A 28-INCH STEEL CASING PIPE UNDER THE SACRAMENTO RIVER, IN THE POCKET AREA NEAR THE CITY OF SACRAMENTO, SACRAMENTO AND YOLO COUNTIES, AS

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REPRESENTED ON THE LAND SHOWN ON EXHIBIT A ATTACHED
AND BY THIS REFERENCE MADE A PART HEREOF; IN
CONSIDERATION OF THE PUBLIC USE AND BENEFIT, WITH THE
STATE RESERVING THE RIGHT AT ANY TIME TO SET A MONETARY
RENT IF THE COMMISSION FINDS SUCH ACTION TO BE IN THE
STATE'S BEST INTEREST.